IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 6187 of 2005

HISTORIC RESORT HOTELS PVT.LTD. & ANR.
V/S
A.D.J.NO.1,BIKANER & ORS.

Mr. LR MEHTA, for the appellant / petitioner

Mr. SAJJAN SINGH, for the respondent

Date of Order : 29.8.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

Vide order dated 20.10.2005 while issuing notices, learned trial Court, by interim order was directed to record the statement of the witnesses of the petitioner on the next date convenient to the Court subject to payment of a cost of Rs.5000/-. It is informed that in compliance of that order, the evidence has been recorded. Learned counsel for the respondent submits that though the evidence has been recorded, but then he opposes recording of that evidence on the ground that sufficient opportunity had already been given to the petitioner in the past. In my view, in the totality of circumstances, interest of justice would be served better if evidence recorded in compliance of the order dated 20.10.2005 is allowed to remain on record and considered. Thus, this writ petition is disposed of making the order dated 20.10.2005 absolute.

(N P GUPTA),J.

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